

EXHIBIT D

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PHILIP L. TROPEANO, PETER TROPEANO,
and CAROLYN PATTON,

Plaintiffs,

v.

CHARLENE DORMAN, BIANCA DORMAN,
LYDIA DORMAN, TODD DORMAN, T&N
REALTY TRUST and CAPTAIN PARKER
ARMS PARTNERSHIP,

Defendants.

DOCKET NO.
03-CV-12231-RGS

**PETER TROPEANO'S ANSWERS
TO DEFENDANTS' EXPERT INTERROGATORIES**

Pursuant to Fed. R. Civ. P. 33, Plaintiff Peter Tropeano ("Mr. Tropeano") responds to Defendants' Expert Interrogatories to Plaintiffs as follows:

GENERAL OBJECTIONS

A. Mr. Tropeano objects to these Interrogatories to the extent that they request information or documents prepared or procured in anticipation of litigation, or protected by the work product doctrine or any privilege, including, but not limited to, the attorney-client privilege.

B. Mr. Tropeano objects to these Interrogatories to the extent that they purport to impose obligations or burdens upon Mr. Tropeano beyond those imposed by the Federal Rules of Civil Procedure.

C. Mr. Tropeano objects to these Interrogatories to the extent that they seek information subject to confidentiality or nondisclosure protection or obligations under any legal,

constitutional, contractual, or other basis. Mr. Tropeano reserves all rights to withhold such information but will consider producing all or some of the information, to the extent he may legally and properly do so, subject to an appropriate protective order limiting the use and the disclosure of the information. By producing information absent a confidential designation, Mr. Tropeano does not intend to, nor does Mr. Tropeano, waive any claims of confidentiality all of which are expressly reserved.

Incorporating, and specifically without waiving, these general objections, Mr. Tropeano responds to the numbered Interrogatories as follows:

INTERROGATORIES

Interrogatory No. 1

Please state your name and address, and the name and address of each person who assisted you in preparing your responses to these Interrogatories.

Response No. 1

My name is Peter Tropeano, 19 Revere Street, Lexington, MA. I prepared my responses to these Interrogatories with the assistance of my counsel.

Interrogatory No. 2

Plaintiffs' Disclosure Pursuant to Rule 26(a)(2), served on October 1, 2007, identified four (4) persons who "may be used at trial to present evidence under Rule 702, 703 and/or 705 of the Federal Rules of Evidence." For every witness (i) whom Plaintiffs expect to actually call as a witness at trial, and (ii) who is expected to present opinion or expert testimony under Fed. R. Evid. 702, 703 and/or 705, set forth:

- (a) the witness' name and address, and qualifications to provide opinion or expert testimony,
- (b) the subject matter on which the witness is expected to provide opinion or expert testimony,
- (c) a complete statement of the substance of the facts and opinions as to which the witness is expected to provide opinion or expert testimony (if the witness has prepared an expert report, include in your answer an identification of the specific portions of the expert report as to which the witness is expected to testify),

- (d) a complete statement of the data or other information considered by the witness in formulating his opinions or expert testimony, and
- (e) a complete statement of the grounds for each opinion to which the witness is expected to testify.

Your attention is directed to Rule 26(e), Fed. R. Civ. P., which requires that your answers to these interrogatories be supplemented in the event that an answer submitted was incomplete or incorrect, or an answer previously made is no longer true.

Response No. 2

Mr. Tropeano objects to Interrogatory No. 2 on the grounds that it is premature as discovery has not yet been completed. Mr. Tropeano further objects to Interrogatory No. 2 on the grounds that it is overly broad, unduly burdensome, and seeks to impose obligations upon Mr. Tropeano beyond those imposed by the Federal Rules of Civil Procedure. Subject to and without waiving his specific and general objections, Mr. Tropeano states that he expects to call the following witnesses at trial to present opinion or expert testimony under Fed. R. Evid. 702, 703 and/or 705: (a) Eric Reenstierna, Reenstierna Associates, (b) Webster A. Collins, CB Richard Ellis, Inc., and (c) Kevin Hastings, R.W. Sullivan Inc., whose respective expert reports, previously provided to the defendants pursuant to Fed. R. Civ. P. 26(a)(2)(B), are incorporated herein by reference.

Mr. Tropeano also intends to offer his own expert testimony, based upon his extensive experience as property manager of the Captain Parker Arms Apartments (the "CPA"), regarding the generally good condition of the physical plant of the CPA until on or about August 6, 2003, when Mr. Tropeano ceased to be property manager. Specifically, Mr. Tropeano will, consistent with his deposition testimony of November 20, 2007, contradict the factual allegations of Paragraphs 100-102 of the Counterclaim in this matter. Mr. Tropeano is also expected to provide rebuttal testimony, as needed, on such or related matters.

Mr. Tropeano reserves the right to supplement his answers to these Interrogatories as appropriate.

Signed under the pains and penalties of perjury this 27th day of November, 2007.

By: _____
Peter Tropeano

As to objections:

By: Thomas Ciampa
Thomas M. Ciampa (BBO# 566898)
Ciampa & Associates
20 Park Plaza, Suite 804
Boston, MA 02116
Phone: (617) 742-5955
Fax: (617) 423-4855

Dated: November 28, 2007

CERTIFICATE OF SERVICE

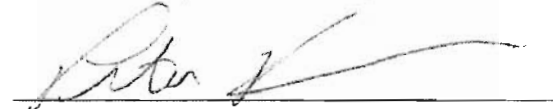
I hereby certify that on this 28th day of November, 2007, a true and accurate copy of the foregoing was served by hand upon counsel of record for the defendants.

Thomas Ciampa
Thomas M. Ciampa

Mr. Tropeano reserves the right to supplement his answers to these Interrogatories as appropriate.

Signed under the pains and penalties of perjury this 27th day of November, 2007.

By:


Peter Tropeano

As to objections:

By:

Thomas M. Ciampa (BBO# 566898)
Ciampa & Associates
20 Park Plaza, Suite 804
Boston, MA 02116
Phone: (617) 742-5955
Fax: (617) 423-4855

Dated: November 27, 2007

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of November, 2007, a true and accurate copy of the foregoing was served by hand upon counsel of record for the defendants.

Thomas M. Ciampa